

Notice of Allowability

Application No.

09/763,852

Examiner

DANIEL G MARIAM

Applicant(s)

BOBER, MIROSLAW Z

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed 7/15/04 and a telephone interview dated 12/3/04.
2. ☒ The allowed claim(s) is/are 1-8, 10-11, and 25-32 (will be renumbered as 1-18).
3. ☒ The drawings filed on 28 February 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08).
Paper No./Mail Date 5/29/04, 5/29/04, and 3/29/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413).
Paper No./Mail Date 12/3/04
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DANIEL MIRIAM
PRIMARY EXAMINER

EXAMINER'S AMENDMENT AND ALLOWANCE

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael K. Mutter (Reg. No. 29,680) on December 3, 2004.

The application has been amended as follows:

Cancel claim 9.

Amend claim 1 as follows:

At line 7, delete the limitation "CSS" and replace it with "curvature scale space (CSS)" -

Amend claim 8 a follows:

At line 3, delete the limitation "adapted to" and replace it with "arranged to" - -

Allowance

2. Claims 1-8, 10-11, and 25-32 are allowed. The claims will be renumbered as 1-18.

3. The following is an examiner's statement of reasons for allowance: the primary reference to de Queiroz, et al. do not teach or fairly suggest a method of representing an object appearing in an image by: determining a curvature scale space representation for the outline, by smoothing the outline in a plurality of stages, to generate peak co-ordinates for the curvature scale space representation, and ordering the peak co-ordinates based on peak height value, corresponding to a parameter used for smoothing the outline as defined in independent claims (or ordering the

Art Unit: 2621

peak co-ordinates, by selecting highest peak value and associated highest peak co-ordinates and ordering the remaining peak coordinates in decreasing peak height or ordering said peak coordinates, by selecting highest peak value and associated peak coordinates and ordering remaining peak coordinates in relation to x-coordinate values by shifting x-coordinates of the remaining peak coordinates in relation to x-coordinate associated with the highest peak value) as defined in independent claims 1, 25, 27, 29, and 31-32. It is for these reasons in combination with all of the other elements of the claims that claims 1-8, 10-11, and 25-32 are allowable over the prior art of de Queiroz, et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL G MARIAM whose telephone number is 703-305-4010. The examiner can normally be reached on M-F (7:00-4:30) FIRST FRIDAY OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LEO BOUDREAU can be reached on 703-305-4607. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Application/Control Number: 09/763,852

Page 4

Art Unit: 2621

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DANIEL MIRIAM
PRIMARY EXAMINER
December 6, 2004